

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FREDERICK ERNEST GRAHAM,

Defendant.

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Case No. 4:14CR333 RLW

ORDER

This matter is before the Court on Defendant's pre-trial motions: (1) *pro se* motion to dismiss the indictment for violating the Double Jeopardy Clause (ECF No. 32); (2) *pro se* motion for a bill of particulars (ECF No. 33); (3) motion to dismiss the indictment on statutory and constitutional grounds (ECF No. 35); (4) *pro se* motion to exclude evidence under Federal Rule of Evidence 403 (ECF No. 36); and (5) motion to suppress physical evidence and statements (ECF No. 14 oral, 21, 24). Pursuant to 28 U.S.C. § 636(b), this matter was referred to United States Magistrate Judge David Noce, who filed a Report and Recommendation on March 11, 2015 (ECF No. 54). Neither party submitted objections to the Report and Recommendation.

Magistrate Judge Noce recommends that the Court deny Defendant's motions. After *de novo* review of the entire record in this matter, the Court adopts the Magistrate Judge's recommendation.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge (ECF No. 54) is **SUSTAINED, ADOPTED, AND INCORPORATED** herein.

IT IS FURTHER ORDERED that (1) *pro se* motion to dismiss the indictment for violating the Double Jeopardy Clause (ECF No. 32); (2) *pro se* motion for a bill of particulars

(ECF No. 33); (3) motion to dismiss the indictment on statutory and constitutional grounds (ECF No. 35); (4) *pro se* motion to exclude evidence under Federal Rule of Evidence 403 (ECF No. 36); and (5) motion to suppress physical evidence and statements (ECF No. 14 oral, 21, 24) are **DENIED.**

Dated this 26th day of March, 2015.

A handwritten signature in black ink, reading "Ronnie L. White". The signature is written in a cursive style with a horizontal line underneath it.

RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE